

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

JOSEPH MICHAEL PETTAWAY,

Movant,

v.

Civil Action No. 2:15-1277
(Criminal Case No. 3:12-196)

UNITED STATES OF AMERICA,

Respondent.

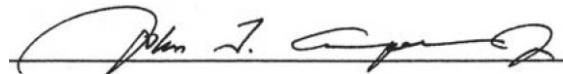
MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Cheryl A. Eifert, filed on February 1, 2017, pursuant to the provisions of 28 U.S.C. § 636(b) (1) (B) ; and having reviewed the record in this proceeding; and there being no objections filed by any party to the proposed findings and recommendation; and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the proposed findings and recommendation of the magistrate judge be, and they hereby are, adopted by the court.

It is, therefore, ORDERED that the movant's motion to vacate, set aside, or correct sentence (ECF No. 103) , and motion for appointment of counsel (ECF No. 107) , be, and they hereby are, denied. It is further ORDERED that this action be, and it hereby is, dismissed from the docket of the court.

The Clerk is directed to forward copies of this written opinion and order to plaintiff, all counsel of record and the United States Magistrate Judge.

DATED: April 11, 2017



John T. Copenhaver, Jr.
United States District Judge